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REMARKS

Claim disposition

Claims 5, 6, 8, 9, 18-21, 25, 27-29, and 50-72 are pending in the application.

Claims 9, 5,6,8, 51, 54, 55, and 57-61 were withdrawn from consideration.

Claims 5, 6, 8, 9, 18-21, 25, 27-29, and 50-72 are cancelled and new claims 73-88 are added; in order to facilitate prosecution.

Claims 73-88 will be pending in the application upon entry of this amendment.

Applicant hereby reserves the right to file Divisional applications or take any other such appropriate measure to prosecute the cancelled subject matter not retained in the new claims.

Claim Amendments

As stated on page 8 of the Office Action, claims 19-21, 25, 52, 63-69, and 71 would be allowable if the claims are limited to the subgenus indicated in the Office Action, and if the applicable 35 U.S.C. § 112, second paragraph rejections are overcome.

To facilitate prosecution in view of the above allowable subject matter and as explained in detail below, all pending claims are cancelled and the allowable subject matter is included in the New Claims as explained below.

Claim 19 is cancelled, rewritten in independent form, and presented as New Claim 73; incorporating the limitations of base claim 50 to the extent that such limitations are consistent with the subgenus set forth on page 2 of the Office Action.

New Claims 74, and 75 are directed to pharmaceutically acceptable salts of the compounds of New Claim 73, and to pharmaceutical compositions comprising the compounds of New Claim 73, respectively. These new claims are fully supported by the specification as originally filed. For example, see pages 40-41 and 80-81 of the specification.

Claim 20 is cancelled, rewritten in independent form, and presented as New Claim 76. Claim 76 excludes the substitutions 3,5-dichloro-4-pyridinyl, and C₆H₅, from the position R of the formula set forth in the claim. Accordingly, claim 76 is within the subgenus set forth on page 2 of the Office Action.

Claim 21 is cancelled, rewritten in independent form, and presented as New Claim 77. Claim 77 excludes the compound Hydrazinecarboxamide, N-(3,5-dichloro-

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4-pyridinyl)-2-[3,4-dihydro-3-[3-(1-methylethoxy)phenyl]-4-oxo-2-quinazolinyl] from the compound list set forth in the claim. Accordingly, claim 77 is within the subgenus set forth on page 2 of the Office Action. Claim 77 further includes the compound Benzoic acid, 4-[[[2-[3,4-dihydro-3-[3-(1-methylethoxy)phenyl]-4-oxo-2-quinazolinyl]-hydrazino]carbonyl]amino]-1,1dimethyl ester, the elected species. See last compound of claim 77.

New claim 78 presents the subject matter of cancelled claim 62 but limited for consistency with the subgenus set forth on page 2 of the Office Action. In this manner, claim 78 sets forth the substitutions for the substituted phenyls R1 and R2 of the formula set forth in claim 78. Accordingly, claim 76 is within the subgenus set forth on page 2 of the Office Action. Support for New claim 78 can be found, for example, in claim 62 (now cancelled).

Claims 63 to 72 are cancelled, and presented as New Claims 79-88 respectively. The subgenus of the compounds included in claims 79-88 is limited to be within the subgenus set forth on page 2 of the Office Action. Furthermore, New claim 86, presenting the subject matter of cancelled claim 70, excludes the phrase "and/or preventing" from line 1 of the claim, in contrast to cancelled claim 70. New claim 88, presenting the subject matter of cancelled claim 72, excludes the phrase "an agent for ... preventing panic" in contrast to cancelled claim 70. New claim 88 also corrects the inadvertent typographical error present in cancelled claim 70. Thus, "...panic. An gent..." (claim line 11 of cancelled claim 72) is changed to "...panic, an agent..." in New Claim 88.

The rejection under 35 U.S.C. § 112, first paragraph, should be withdrawn

Claims 70 and 72 were rejected under 35 U.S.C. § 112, first paragraph, for lack of enablement, the Office action indicating that the recitation of "treating or preventing panic" (claim 70) and "an agent for treating or preventing panic" renders the claims not enabled. To facilitate prosecution and the allowance of the claims under consideration, claims 70 and 72 were cancelled and presented as New Claims 86, and 88. As explained above in the preceding paragraph, these phrases drawn to preventing panic are excluded from claims 86 and 88. Accordingly, this rejection of the claims under consideration is obviated. Therefore, Applicant respectfully requests that this rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

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The rejection under 35 U.S.C. § 112, second paragraph, should be withdrawn

Applicant submits that each of the grounds for this rejection of the claims is obviated by cancellation and resubmission of the new claims as explained above. Therefore, Applicant respectfully requests that this rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

The rejection under 35 U.S.C. § 102 should be withdrawn

Claims 50, 54, 56, 62, 9, 18, and 27-29 were rejected under 35 U.S.C. § 102 (b). To facilitate prosecution and the allowance of the claims under consideration, claims 50, 54, 56, 62, 9, 18, and 27-29 are cancelled as further explained above. The newly submitted claims, now the only pending claims in the application, are drawn to only include compounds that are within the subgenus set forth on page 2 of the Office Action.

Accordingly, Applicant respectfully submits that this rejection of the claims is obviated, and should not be extended to the new claims. Applicant respectfully requests that this rejection of the claims be withdrawn.

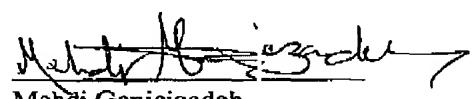
In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is respectfully solicited.

The Commissioner is hereby authorized to charge any fees under 37.C.F.R §§ 1.116 and 1.117 that may be required by this paper to Deposit Account No: 23-0455.

In the event the Examiner wishes to discuss any matter concerning this application, he is welcomed to communicate with the undersigned by telephone.

Respectfully submitted,

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